PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTH	ORITY							
То:		PCT						
see form PCT/ISA/220		WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY						
		(PCT Rule 43 <i>bis</i> .1)						
		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)						
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below						
International application No. PCT/GB2004/003677	International filing date (c 27.08.2004		Priority date (day/month/year) 29.08.2003					
International Patent Classification (IPC) or B29D11/00	both national classification	and IPC						
Applicant VISAQ LIMITED								
This opinion contains indication	ons relating to the follo	owing items:						
Box No. I Basis of the op	inion							
Box No. II Priority								
Box No. III Non-establishm	nent of opinion with rega	gard to novelty, inventive step and industrial applicability						
Box No. IV Lack of unity of		s.1(a)(i) with regard to novelty, inventive step or industrial supporting such statement						
	ement under Rule 43 <i>bis.</i> ations and explanations							
☐ Box No. VI Certain docume	ents cited							
	in the international appl	lication						
🖾 Box No. VIII Certain observa	ations on the internations	al application						
2. FURTHER ACTION								
If a demand for international preli written opinion of the Internationa the applicant chooses an Authorit International Bureau under Rule 6 will not be so considered.	I Preliminary Examining by other than this one to i	Authority ("!PEA"). Ho be the IPEA and the c	owever, this does not apply where					
If this opinion is, as provided above submit to the IPEA a written reply months from the date of mailing owhichever expires later.	EA, the applicant is invited to ts, before the expiration of three f 22 months from the priority date,							
For further options, see Form PC	T/ISA/220.							
3. For further details, see notes to Fe								

Name and mailing address of the ISA:

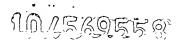


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International application No. PCT/GB2004/003677

_		M200000 27 FEB 2006
_	Box	
1	. With the la	regard to the language , this opinion has been established on the basis of the international application in inguage in which it was field, unless otherwise indicated under this item.
		his opinion has been established on the basis of a translation from the original language into the following anguage , which is the language of a translation furnished for the purposes of international search under Rules 12.3 and 23.1(b)).
2.	With i	regard to any nucleotide and/or amino acid sequence disclosed in the international application and sarry to the claimed invention, this opinion has been established on the basis of:
	a. typ	e of material:
		a sequence listing
		table(s) related to the sequence listing
	b. forn	nat of material:
		in written format
		in computer readable form
	c. time	of filing/furnishing:
		contained in the international application as filed.
		filed together with the international application in computer readable form.
		furnished subsequently to this Authority for the purposes of search.
3.	co	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto s been filed or furnished, the required statements that the information in the subsequent or additional pies is identical to that in the application as filed or does not go beyond the application as filed, as propriate, were furnished.
4.	Additio	nal comments:

International application No. PCT/GB2004/003677

Bo	x No. II	Priority
1. 🛛	The fo	llowing document has not been furnished:
	⋈	copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
		translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).
	Conse nevert	quently it has not been possible to consider the validity of the priority claim. This opinion has heless been established on the assumption that the relevant date is the claimed priority date.
2. 🗆	mac bo	pinion has been established as if no priority had been claimed due to the fact that the priority claim en found invalid (Rules 43 <i>bis</i> .1 and 64.1). Thus for the purposes of this opinion, the international ate indicated above is considered to be the relevant date.
3. Add	ditional c	observations, if necessary:

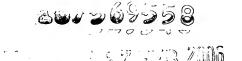
International application No. PCT/GB2004/003677

	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability					
The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:						
\boxtimes	Claims Nos. 17-23					
be	because:					
	the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):					
×	the description, claims or drawings (indicate particular elements below) or said claims Nos. 24,25 are so unclear that no meaningful opinion could be formed (specify):					
	see separate sheet					
	the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.					
\boxtimes	no international search report h	nas b	een established for the whole application or for said claims Nos. 17-23			
	the written form		has not been furnished			
			does not comply with the standard			
	the computer readable form		has not been furnished			
			does not comply with the standard			
	the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.					
	See separate sheet for further of	details	3			

International application No. PCT/GB2004/003677

•	Bo	ox No.	IV Lack of unity	of invention	on .					
	1. 🛛		sponse to the invitat			06) to pay a	additional fe	es. the appli	icant has:	
								,		
			paid additional fe	es under p	orotest.					
		Ø	not paid additiona	al fees.						
2	2. 🗆	This a	Authority found that pplicant to pay addit	the require	ement of u	nity of inver	ntion is not o	complied wit	h and chose n	not to invite
3	. Thi	is Autho	ority considers that	the require	ment of ur	nity of inven	ntion in acco	ordance with	Rule 13.1, 13	.2 and 13.3 is
		compli	ed with							
	\boxtimes	not cor	nplied with for the fo	ollowing re	asons:					
			eparate sheet							
4	. Cor	nseque	ntly, this report has	been esta	blished in 1	respect of t	he followina	narts of the	international	annlication:
		all parts					g	, parto or the	momationar	application.
		•		Nos 17						
		ine pan	ts relating to claims	Nos. 1-7						
_										
		No. V ustrial	Reasoned state applicability; citat	ement und ions and (ier Rule 4: explanatio	3 <i>bis.</i> 1(a)(i) ons suppor	with regard ting such s	d to novelty statement	, inventive st	ep or
1.		ement								
	Nov	elty (N)	Yes: No:	Claims Claims	1-7				
	Inve	ntive s	tep (IS)	Yes: No:	Claims Claims	1-7				
	Indu	strial a	pplicability (IA)	Yes: No:	Claims Claims	1-7				
2.	Citat	ions ar	nd explanations							
	see	separa	ate sheet							
	Вох	No. VI	II Certain observ	rations on	the interr	national ap	plication			
- he	e follo	owing o	observations on the	clarity of t	he claims.	description		ngs or on the	auestion whe	ether the
la	ms a	re fully	supported by the c	description	, are made):			,=====================================	

see separate sheet



WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/GB2004/003677

Re Item IV.

The separate inventions/groups of inventions are:

1-7

A method of moulding contact lenses comprising initiating curing whilst a pathway is open between the moulding cavity and the reservoir.

17-19

Apparatus for moulding a contact lens including a timing means and a triggering means 20-23

Apparatus for moulding contact lenses comprising an oven with rollers wherein at least one roller is vertically displaced upwardly of the others.

They are not so linked as to form a single general inventive concept (Rule 13.1 PCT) for the following reasons:

The application concerns a method and apparatus for moulding contact lenses. First regarding clarity and support. The insertion means of claim 8 has no technical features, nor are any apparent from the description. Also the reservoir is a result achieved during use of the male and female moulds. The insertion means appears indeterminate and the insertion may even be done by hand. Similarly the ram means is any means which can be used to apply a force to the mould assembly- that this is done from a second position and to form a reservoir are results and features of the use of the apparatus.

The reasons for which the present application has been deemed to contain 3 inventions which are not linked such that they form a single general inventive concept, as required by Rules 13.1, 13.2 and 13.3, PCT are as follows:

The prior art has been identified as: US-A-4284399

For claim 8 this discloses male and female moulds (which in any case have ben inserted to form a reservoir) (see figs. 1 and 2) and a ram means (see the "weight" in col. 2 lines 26 to 31). The features of claims 9-16 are either not novel or design alternatives which would be usual practice for a skilled man. The steps (a),(b), (c), (f),(g) of claim 1 are disclosed. Similar arguments apply to the other documents in the search report.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/GB2004/003677

Invention I:

From which analysis follows that the following technical features of claim 1 can be seen to make a contribution over this prior art (Special Technical Features (S.F.), (Rule 13.2 PCT)):

- -initiating curing whilst keeping the pathway open
- -applying the external force to insert the male mould further into the female mould to close the cavity

From these S.F. the objective problem to be solved by the 1st invention can be construed as:

to provide a method which enables reduction of gas bubble imperfections in the final lens

Invention II:

From a comparison of the disclosure of this prior art and the technical features of claim 17-19 the following features can be seen to make a contribution over this prior art (Special Technical Features (S.F.), (Rule 13.2 PCT)):

a timing means, a triggering means

From these, the objective problem to be solved can be construed as:

to provide an apparatus which reduces variation in the finished lenses due to variation in curing times.

Invention 3:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/GB2004/003677

From a comparison of the disclosure of this prior art and the technical features of claim 20-23 the following features can be seen to make a contribution over this prior art (Special Technical Features (S.F.), (Rule 13.2 PCT)):

a row of rollers wherein at least one roller is displaced vertically upwardly of the others.

From these, the objective problem to be solved can be construed as:

to provide an apparatus which guides the tray through the oven.

The above analysis shows that the special technical features of invention I are neither the same as nor corresponding to those of invention II nor the same as or corresponding to those of invention 3.

In conclusion, therefore, the 3 groups of claims are not linked by common or corresponding special technical features and define 3 different inventions not linked by a single general inventive concept.

The application, hence does not meet the requirements of Unity of Invention as defined in Rules 13.1 & 13.2 PCT.

Re Item V.

- 1 The following documents are referred to in this communication:
 - D1: US 4 284 399 A (NEWCOMB PAUL D ET AL) 18 August 1981 (1981-08-18)
 - D2: GB 2 191 144 A (COOPERVISION OPTICS) 9 December 1987 (1987-12-09)
 - D3: US 5 143 660 A (HAMILTON RONALD S ET AL) 1 September 1992 (1992-09-01)
 - D4: WO 93/04848 A (BAUSCH &; LOMB) 18 March 1993 (1993-03-18)

2 INDEPENDENT CLAIM 1

2.1 The subject-matter of independent claim 1 differs from D1 : see Item IV above.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)
The problem to be solved by the present invention may be regarded as:
to provide a method which enables reduction of gas bubble imperfections in
the final lens

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

the non disclosed steps (d) and (e) enable gas is able to escape during polymerisation hence reducing bubbles in the final product. This is not hinted or taught in the prior art.

Claims 2-7 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

2.2 Similar arguments apply to D2,D3 and D4 for both independent claim 1 and dependent claims 2-7. Not that the compression chamber of D* applies a force to the moulds and is, therefore, a ram means. Also even it would be argued that some documents disclose a female mould into a male mould this juxtaposition would be an obvious alternative to a skilled man.

Re Item VII.

- For Articles 5 and 6 PCT see Item IV above. The insertion means is not defined in the application and the features of the male and female moulds enabling the formation of the reservoir are not in the claims.
- 2 Also claims 24 and 25 do not contain any technical features and are not allowable.